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August 28, 1984

Mr. Richard P. McHugh  
Executive Director  
South Central Connecticut Regional  
Water Authority  
90 Sargent Drive  
New Haven, CT 06511

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*Alto*  
*Caragano*

**RECEIVED**  
AUG 31 1984  
REGION I  
WASTE MGMT. DIVISION

Dear Mr. McHugh:

This is in response to your letter of June 8, 1984 and supplements my letter to you of June 13 concerning Olin's Pine Swamp property in Hamden, and your meeting with Olin's Mr. Paul Duff and Mr. Chester Knowles on August 21, 1984.

As I noted to you in my June 13 transmittal, Olin found a number of statements in your letter "...which are not in accord with the facts as we know them...". This response focuses on the five substantive statements in your correspondence.

- o "OLIN STATED PINE SWAMP WAS NOT USED FOR DISPOSAL OF RESEARCH CHEMICALS."

This statement is incorrect and inconsistent with records that span at least an 18-year period. The following is a brief review of the facts:

- (1) A March, 1966 public hearing, held by the Town of Hamden, Department of Health, addressed disposal practices in very great detail. As you are aware, a Water Authority employee was present at this proceeding which precipitated an order to stop "burning, storing and burying" of refuse at Pine Swamp.
- (2) Olin submitted information regarding our waste disposal at Pine Swamp, later made public, to the Eckhardt Congressional Subcommittee, in response to a waste site survey of chemical manufacturers. The Connecticut Department of Environmental Protection (DEP) has been aware of the information we furnished since October, 1981, when these data became part of the public record.
- (3) Additionally, in correspondence between the DEP and the Water Authority, the term "burning grounds disposal area" is used frequently to describe the site where Olin's Research and Development (R&D) materials were mixed with the industrial trash and burned.



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- o "RECENTLY WE HAVE LEARNED NEW INFORMATION THAT GREATLY INCREASES OUR LEVEL OF CONCERN. AS A RESULT OF INVESTIGATION CONDUCTED BY ANIXTER, INC., THERE IS NOW EVIDENCE THAT OLIN IS QUITE LIKELY RESPONSIBLE FOR CHEMICAL CONTAMINATION ON PROPERTY ADJACENT TO PINE SWAMP THAT IT FORMERLY BUT NO LONGER OWNS."

"STATEMENTS MADE BY FORMER EMPLOYEES INDICATE THAT OLIN DID USE THE AREA FOR DISPOSAL OF CHEMICALS FROM ITS RESEARCH LABORATORIES ON A REGULAR BASIS AND OVER AN EXTENDED PERIOD OF TIME."

NOTE: Presumably both of these points relate to the Anixter site, therefore, to facilitate our response, they have been combined.

While we have had no direct discussions with Connecticut's DEP regarding the Anixter site, we have been in continuous discussion with Anixter during the last 2-3 years regarding our alleged past activities on its property. The important points to keep in mind are that the DEP is fully aware of the contamination at the Anixter site and that remedial measures are being taken. We have not received a final report from Anixter on either the investigative phase or remedial work, and therefore, we still do not know exact details about the nature and extent of contamination discovered at this site.

As you know, Olin hired a consultant, Environmental Research and Technology, Inc. (ERT), Concord, Massachusetts, who conducted extensive interviews with former Olin employees (January, 1980) and they did not surface any recollection that the Anixter area was used as a disposal site. Recently, after the Anixter problem became known to Olin, a retired employee who had responsibility for the activities at Pine Swamp walked through the property with Olin's Mr. Knowles. At that time the employee did say that he recalled undertaking limited disposal on this site, however, he couldn't provide specific information relative to the quantity and/or types of materials involved.

In your conversations with Messrs. Knowles and Duff on August 17, you stated that one employee (not employees) did describe chemical disposal on the Anixter site, however, I understand that your information was obtained through a third party and was not confirmed directly by you or your staff. Presumably this is a portion of the "new information" that the Water Authority has obtained relative to past disposal practices cited in your June 8th letter, and I think you will agree with us that such information is sometimes unreliable.

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- o "OLIN HAS BEEN NEGLIGENT IN ITS PUBLIC AND ENVIRONMENTAL OBLIGATIONS BY NOT MAKING FULL DISCLOSURE OF ALL POTENTIALLY TOXIC OR HAZARDOUS MATERIALS DUMPED ON PINE SWAMP."

Olin has made a conscientious effort to determine the nature and scope of disposal activities at our Pine Swamp property. The record is clear in this point, and below I have highlighted our efforts:

- (1) January 1981 - ERT Phase I Study issued.
- (2) June 1982 - ERT Phase II Study issued.
- (3) August 1983 - Malcolm Pirnie reevaluation of ERT's work and issuance of a remedial action plan.

- o "OLIN HAS NO INTENTION OF ASSUMING RESPONSIBILITY FOR ANY CLEANUP OF THE PROPERTY AND PLANS TO TRANSFER THIS SIGNIFICANT LIABILITY WITH THE TRANSFER OF TITLE."

Our long-standing position has been that we will either effect remedial action or if the property is sold, provide the prospective purchaser with a complete and accurate environmental, legal and regulatory disclosure. We have stated that it would be essential to a successful sale that we explicitly describe what we know of the present condition of the property and its past usage. Therefore, any offer to acquire the property would reflect an assessment of the environmental liabilities.

Since the standard for waste disposal recordkeeping in the 1950's and 1960's was not as detailed as today's RCRA criteria, we must depend on analytical techniques to determine if contamination from Pine Swamp is adversely affecting water quality in Lake Whitney. As you know, your Fran Ludwig had input into a review process which involved evaluation of ERT Phase I study results, and development of a protocol for the Phase II effort which looked in greater detail (and with more specificity) for ground and surface water contamination at Pine Swamp.

With input and concurrence from both your office and the Connecticut DEP, we implemented the second phase investigation that produced results which are the cornerstone of our current position. In Olin's opinion, analytical methods employed in these studies do permit, and probably already have yielded, results which would give ample confidence that there is no important contamination leaving Pine Swamp.


As you are aware, an additional study was conducted for the USEPA by NUS Corporation at our Pine Swamp property during May, 1984. Approximately 16 groundwater, 8 surface water, and 2 soil samples were analyzed for

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the entire spectrum of priority pollutant chemicals (VOA, acid extractable and base neutral fractions, as well as pesticides and heavy metals). This was an exhaustive assessment study and the results should add significantly to our current body of knowledge. In mid-September, when the final report becomes available, I suggest that we carefully evaluate the results to see if they confirm Olin's past work.

In the interim, however, because we agree that protection of Lake Whitney water quality should receive the highest priority, we respectfully suggest that any future dialogue on this subject should involve our respective technical experts meeting to review "state-of-the-art" analytical technology to determine if any additional testing would yield useful information.

In summary, it is hard for us to imagine how anyone can dispute the honesty and sincerity of Olin's effort to provide the DEP and Water Authority with a complete and accurate environmental profile of the Pine Swamp property.

  
R. R. Berry  
Executive Vice President

RRB:mdc

cc: Robert E. Moore - Deputy Assistant Commissioner, DEP  
Melvin Holman - Director, Waste Management Division, EPA Region I ✓  
Raymond Jarema - Chief, Water Supplies Section, DOHS  
John M. Henske - President, Olin Corporation  
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